

1 BILL NO. S-87-06-08

2 SPECIAL ORDINANCE NO. S-157-87

3 AN ORDINANCE approving the Contract  
4 for Res. 6085-87 - North Washington  
5 Rd. - S. Washington Rd., between  
6 Brooks Construction Company and  
the City of Fort Wayne, Indiana,  
in connection with the Board of  
Public Works and Safety.

7 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL  
8 OF THE CITY OF FORT WAYNE, INDIANA:

9 SECTION 1. That the Contract for Res. 6085-87 - North  
10 Washington Rd. - S. Washington Rd., by and between Brooks Con-  
11 struction Company and the City of Fort Wayne, Indiana, in connection  
12 with the Board of Public Works and Safety, for:


13 improvement of the following:

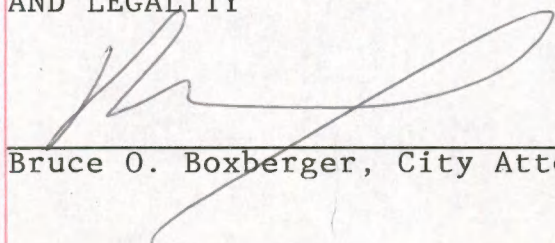
14 A. N. Washington Rd. - from the  
15 W. pavement line of Freeman Street  
16 to the East property line of Ardmore  
17 Avenue by constructing curbs, partial  
18 driveway approaches and partial  
19 yard walks. B. South Washington  
20 Rd. - from the Southwesterly property  
line of N. Washington Rd. to the  
Southeasterly extended property  
line of Saginaw Drive by construct-  
ing curbs, partial driveway approaches  
and partial yard walks;

21 the Contract price is One Hundred Seventy Eight Thousand Eight Hundred  
22 Twenty Four and 80/100 (\$178,824.80), all as more particularly set  
23 forth in said Contract, which is on file in the Office of the  
24 Board of Public Works and Safety and, is by reference incorporated  
25 herein, made a part hereof, and is hereby in all things ratified,  
26 confirmed and approved. Two (2) copies of said Contract are  
27 on file with the Office of the City Clerk and made available  
28 for public inspection, according to law.

29 SECTION 2. That this Ordinance shall be in full force  
30 and effect from and after its passage and any and all necessary  
31 approval by the Mayor.

32 APPROVED AS TO FORM  
AND LEGALITY

  
Councilmember

  
Bruce O. Boxberger, City Attorney



Read the first time in full and on motion by Talarico  
seconded by Redd, and duly adopted, read the second time  
by title and referred to the Committee Public Works (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ .M., E.

DATE: 6-9-87

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Talarico  
seconded by Redd, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>      </u>	<u>      </u>	<u>1</u>	<u>      </u>
<u>BRADBURY</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>BURNS</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>EISBART</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>✓</u>	<u>      </u>
<u>HENRY</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>REDD</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>SCHMIDT</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>STIER</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>TALARICO</u>	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

DATE: 6-23-87

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 1-157-87  
on the 23rd day of June, 1987,

ATTEST:

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Mark E. GiaQuinta  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the 24th day of June, 1987,  
at the hour of 10:00 o'clock 10 .M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 25th day of June,  
1987, at the hour of 9:00 o'clock A .M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR



TITLE OF ORDINANCE Contract for Res. 6085-87 - N. Washington Rd.-S. Washington Rd.

DEPARTMENT REQUESTING ORDINANCE Board of Public Works &amp; Safety

SYNOPSIS OF ORDINANCE Contract for Res. 6085-87 - N. Washington Rd. - South Washington Rd. - is deemed to improved the following:

A. N. Washington Rd. - from the W. pavement line of Freeman Street to the East property line of Ardmore Avenue by constructing curbs, partial driveway approaches and partial yard walks. B. South Washington Rd. - from the Southwesterly property line of N. Washington Rd. to the Southeasterly extended property line of Saginaw Drive by constructing curbs, partial driveway approaches and partial yard walks. Brooks Construction Company is the contractor.

*J-87-06-08*

EFFECT OF PASSAGE Improved curbs, partial driveway approaches &amp; walks at above location.

EFFECT OF NON-PASSAGE

MONEY INVOLVED (DIRECT COSTS, EXPENDITURE, SAVINGS) \$89,412.00

*178,824.80*

ASSIGNED TO COMMITTEE

NOTICE OF AWARD

TO: Brooks Construction Company  
1123 Barthold Street, P.O. Box 8097  
Fort Wayne, Indiana 46898

PROJECT DESCRIPTION North Washington Road - South Washington Road  
Res. 6085-87

The OWNER has considered the BID submitted by you for the above-described WORK, in response to its advertisement for bids dated \_\_\_\_\_

You are hereby notified that your BID has been accepted for items in the amount of \$ \$178,824.80.

You are required to furnish Contractor's Performance and Guaranty Bond, Payment Bond and Certificate of Insurance within ten (10) calendar days from the date of this Notice to you.

If you fail to execute said Agreement and to furnish said bonds within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this 27th day of May, 1987.

ACCEPTANCE OF NOTICE

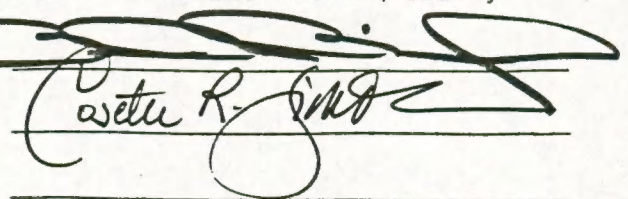
Receipt of the above NOTICE OF AWARD  
is hereby acknowledged by \_\_\_\_\_

Title \_\_\_\_\_

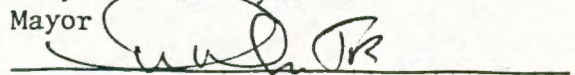
Compliance: \_\_\_\_\_

cc: Betsy Meyer  
St. Eng.  
Jess Yoder  
file

City of Fort Wayne  
Board of Public Works & Safety

  
\_\_\_\_\_

City of Fort Wayne  
Mayor

  
\_\_\_\_\_

Award Date: 5-27-87



B I D

CONTRACTOR: Brooks Construction Company, Inc.

PROJECT: N. WASHINGTON RD. - S. WASHINGTON RD.

RES. NO: 6085-87

ITEM NO.	ITEM	QUANTITY	UNIT	UNIT COST (\$)	AMOUNT (\$)
1	CURB REMOVAL (INCL COST OF FULL DEPTH SAWING)	7774	LF	4.50	34,983.00
2	CONCRETE REMOVAL	736	SY	5.30	3,900.80
3	CONCRETE CURB TYPE II B	7774	LF	9.25	71,909.50
4	PRIVATE DRIVE APPROACH 6"	508	SY	25.00	12,700.00
5	CONCRETE SIDEWALK 4"	656	SF	3.00	1,968.00
6	CONCRETE WING WALKS & RAMPS 6"	1178	SF	3.75	4,417.50
7	53 STONE	550	TON	11.00	6,050.00
8	BITUM. SURFACE (INCL COST OF TACK)	276	TON	35.00	9,660.00
9	BACKFILL BEHIND CURB	568	TON	8.00	4,544.00
10	SODDING (NURSERY) INCL COST OF WATERING 30 DAYS	3763	SY	2.00	7,526.00
11	CONSTRUCTION SIGNS TYPE A	5	EA	150.00	750.00
12	MAINTAINING TRAFFIC	1	LS	7,000.00	7,000.00
13	TOP SOIL	212	TON	18.00	3,816.00
14	NEW INLETS TYPE 1C	7	EA	1,125.00	7,875.00
15	INLETS ADJUST	2	EA	300.00	600.00
16	INLET ABANDON	1	EA	750.00	750.00
17	7" PIPE GROUP L - YARD DRAIN	25	LF	15.00	375.00

TOTAL:

178,824.80

SHEET 1 OF 1

Note: Contractor will be paid on measured quantities only at unit price bid



# NON-COLLUSION AFFIDAVIT

The Bidder, by its Officers and

agents or representatives present at the time of filing this bid, being duly sworn on their oaths, say that neither they nor any of them have in any way, directly or indirectly, entered into any arrangement or agreement with any other bidder, or with any public officer of such City of Fort Wayne, Indiana, whereby such affiant or affiants or either of them, has paid or is to pay to such other bidder or public officer any sum of money, or, has given or is to give such bidder or public officer anything of value whatever, or such affiant or affiants or either of them has not directly or indirectly, entered into any arrangement or agreement with any other bidder or bidders, which tends to or does lessen or destroy free competition in the lettering of the Contract sought for by the attached bids, that no inducement of any form or character other than that which appears upon the face of the bid will be suggested, offered, paid or delivered to any person, whomsoever to influence the acceptance of the said bid or awarding of the Contract, nor has this bidder any agreement or understanding of any kind whatsoever, with any person whomsoever to pay, deliver to, or share with any other person in any way or manner, any of the proceeds of the Contract sought by this bid.

*John R. Brooks*  
 \_\_\_\_\_  
 \_\_\_\_\_

Subscribed and sworn to before me by John R. Brooks  
 this 20th day of May, 1987.

My Commission Expires:

*Sara R Boardman*

March 22, 1991

NOTARY PUBLIC  
 Resident of Whitley County, IN

Subscribed and sworn to before me by \_\_\_\_\_  
 this \_\_\_\_\_ of \_\_\_\_\_, 19\_\_\_\_.

My Commission Expires:

NOTARY PUBLIC  
 Resident of \_\_\_\_\_ County, IN

Subscribed and sworn to before me by \_\_\_\_\_  
 this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

My Commission Expires:

NOTARY PUBLIC  
 Resident of \_\_\_\_\_ County, IN



CERTIFICATE IN LIEU OF FINANCIAL STATEMENT

I, John R. Brooks, the Secretary  
Name  
Position, the Brooks Construction Company, Inc.  
Company

HEREBY CERTIFY:

1. That the Financial Statement of said Company, dated the 31st day of January, 19 86, now on file in the office of the Board of Public Works & Safety of the City of Fort Wayne, Indiana, which Financial Statement is by reference incorporated herein and made a part hereof, is a true and correct statement, and, accurately reflects the financial condition of said Company, as of the date hereof; and,
2. That I am familiar with the books of said Company, showing its financial condition and am authorized to make this Certificate on its behalf.

DATED May 20, 1987

[Signature]  
Signature

Secretary

Title

SUBSCRIBED AND SWORN to before me, a Notary Public, in and for said County and State, this 20th day of May, 19 87.

Sara R. Boardman

NOTARY PUBLIC

Resident of Whitley County, IN

My Commission Expires:

March 22, 1991

In submitting this bid, it is understood, that the right is reserved by the Owner to reject any and all bids, and to waive any defect in any bid.

IN WITNESS WHEREOF, the bidder (a firm) by its owner(s) named below, hereunto set hand(s) and seal this 20th day of May 1987

FIRM NAME \_\_\_\_\_

BY: \_\_\_\_\_  
\_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE: \_\_\_\_\_

IN TESTIMONY WHEREOF, the bidder (a corporation) has caused this proposal to be signed by its President and Secretary, and, affixed its corporate seal this 20th day of May, 1987.

Brooks Construction Company, Inc.

NAME OF CORPORATION \_\_\_\_\_

BY: Harold L. Mullinger  
Vice PRESIDENT

ADDRESS: PO BOX 8097

Fort Wayne, Indiana 46898

TELEPHONE: 219-424-1910

ATTEST:

John G. L. See



MBE/WBE COMMITMENT FORM

THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT TO THE MBE/WBE GOALS OF THE CITY FOR WORK DONE PURSUANT TO THIS CONTRACT:

- A. \_\_\_\_\_ The undersigned firm certifies that it is an MBE/WBE Contractor (cross out inapplicable provision).
- For MBE specify percentage of minority ownership \_\_\_\_%.
- For WBE specify percentage of women ownership \_\_\_\_%.
- B. \_\_\_\_\_ The undersigned certifies that they are a joint venture in which the following (MBE/WBE) firm (cross out inapplicable provision) is a joint venture partner.
- The MBE/WBE firm (cross out inapplicable provision), shall have \_\_\_\_% participation (employees) \_\_\_\_% participation (costs) in this project.
- Specify the percentage of minority/women ownership in the MBE/WBE firm \_\_\_\_%. (Cross out inapplicable provision.)
- C. The undersigned commits 7% of the total bid price as a subcontract to minority business enterprise participation. The MBE firms, which are proposed as subcontractors, are the following:

NAME OF FIRM	ADDRESS	TYPE OF WORK
1. Gains Construction	217 W. Washington	Structures
2.		
3.		

- D. The undersigned commits 2% of the total bid price as a subcontract to women business enterprise participation. The WBE firms, which are proposed as subcontractors are the following:

NAME OF FIRM	ADDRESS	TYPE OF WORK
1. Statewide Trucking	7432 L. Huntington	Trucking
2.		
3.		



E. Complete (1) and (2) below if participation goals of 7% MBE and 2% WBE have not been met.

1. My Company cannot meet the participation goals for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. We have taken the following steps in an attempt to comply with these participation goals: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheets as necessary.)

Contractor Brooks Construction Company, Inc Contractor \_\_\_\_\_

By *[Signature]* \_\_\_\_\_

By \_\_\_\_\_

Its \_\_\_\_\_ Secretary

Its \_\_\_\_\_



"MINORITY/FEMALE HOURLY UTILIZATION"

THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT TO MINORITY/FEMALE HOURLY UTILIZATION.

A. The undersigned firm certifies that it will employ and utilize minorities and females and/or will ensure that its subcontractors employ and utilize minorities and females, so that minorities and females will work at least 17% of the total hours worked on this project.

B. Complete (1) and (2) below if the hourly utilization figure set forth in "A" is less than 17%.

1. My Company and its subcontractors cannot meet the 17% minimum hourly utilization figure for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

2. My Company has taken the following steps in an attempt to comply with the 17% hourly utilization figure:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheets, if necessary.)

CONTRACTOR: Brooks Construction Company, Inc.

By: \_\_\_\_\_

Its: \_\_\_\_\_

Secretary



It is the policy of Brooks Construction Company, Inc. that  
(Company)

equal employment opportunity be afforded to all qualified persons without regard to race, religion, color, sex, or national origin.

In support of this policy Brooks Construction Company, Inc. will not  
(Company)

discriminate against any employee or applicant for employment because of race, religion, color, sex, or national origin.

The Brooks Construction Company, Inc. will take affirmative action  
(Company)

to insure that applicants are employed and that employees are treated during employment without regard to their race, religion, color, sex, or national origin. Such action will include but not be limited to:

RECRUITMENT, ADVERTISING OR SOLICITATION FOR EMPLOYMENT, HIRING, PLACEMENT, UPGRADING, TRANSFER OR DEMOTION, SELECTION FOR TRAINING INCLUDING APPRENTICESHIP, RATES OF PAY OR OTHER FORMS OF COMPENSATION, LAYOFFS OR TERMINATION.

Brooks Construction Company, Inc.

(Name of Company)

  
(Signature of Company Official)

May 19, 1987

(Date)



STREET BARRICADE MAINTENANCE INFORMATION

Listed below are the names and telephone numbers of the persons responsible for the maintenance of the barricades necessary for the duration of this contract.

NAME

TELEPHONE NUMBER

Monte Vincenski

493-4391

Harold Hullinger

833-4697

Brooks Construction Company, Inc.  
Contractor

Resolution No. 6085-87



TO BE EXECUTED BY BIDDER AND SURETY COMPANY BEFORE DEPOSITING BID  
BIDDER'S BOND

KNOW ALL MEN BY THESE PRESENTS:

That, we, Brooks Construction Company, Inc. as principal, and

and Fidelity and Deposit Company of Maryland  
as sureties, are held and firmly bound unto the City of Fort Wayne,  
Indiana, in the sum of

Five percent of Bid        DOLLARS (\$ 5% of Bid       ), to be paid to the  
said City of Fort Wayne, Indiana, or its successors or assigns, for the  
payment of which, well and truly made, we hereby bind ourselves, our  
heirs, successors, executors and administrators, jointly and severally,  
firmly by these presents.

SIGNED AND SEALED at Fort Wayne, Indiana, this 20th  
day of May, 19 87.

The condition of this obligation is such that if the accompanying bid  
or proposal of Resolution No. 6085-87 - North Washington and  
South Washington Road

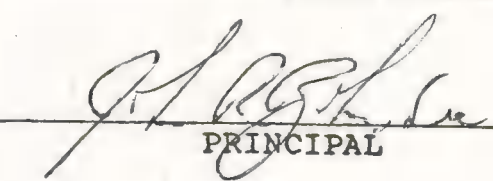
made this day to the City of Fort Wayne, State of Indiana, is accepted,  
and, the Contract awarded to the above bidder, and, the bidder shall,  
within ten (10) days after such award is made, enter into a Contract  
with the City of Fort Wayne, State of Indiana, for the work bid upon,  
and, give bond as required; then this obligation shall be null and  
void; otherwise, it shall remain in full force and effect.

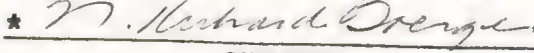
SIGNED at

this 20th day of May 19 87.

Brooks Construction Company, Inc.

Fidelity and Deposit Company of Maryland

  
PRINCIPAL

  
SURETY  
N. Richard Boerger  
Attorney - in - Fact

\*If signed by an agent, appropriate Power of Attorney shall be  
attached.

Power of Attorney  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE, BALTIMORE, MD.

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR., Vice-President, and C. W. ROBBINS, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

"The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages, ... and to affix the seal of the Company thereto."

does hereby nominate constitute and appoint N. Richard Boerger, Ronald L. Wightman and Marc Cook, Jr., all of Fort Wayne, Indiana, EACH.....

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings.....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons.

The said Assistant Secretary does hereby certify that the foregoing is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 9th day of June, A.D. 1986.....



ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

C W Robbins

Assistant Secretary

By

C M Pecot, Jr.

Vice-President

STATE OF MARYLAND  
CITY OF BALTIMORE

SS:

On this 9th day of June, A.D. 1986, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed by Official Seal, at the City of Baltimore, the day and year first above written.



Notary Public (Commission Expires July 1, 1990)

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2 of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 20th day of May, 1987.

M J Best

Assistant Secretary

L1428-Crf. -044-2974







IMPROVEMENT RESOLUTION

NO. 6085-87

RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

A. North Washington Road - from the West pavement line of Freeman Street to the East property line of Ardmore Avenue

by constructing curbs, partial driveway approaches, and partial yard walks

B. South Washington Road - from the Southwesterly property line of North Washington Road to the South Easterly extended property line of Saginaw Drive

by constructing curbs, partial driveway approaches, and partial yard walks

all in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works and Safety of said City; and such improvement is now ordered.

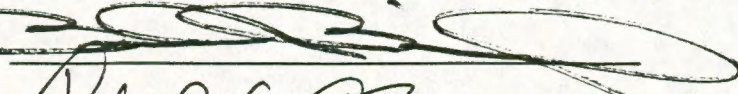
The cost of said improvement shall be assessed 50% on the real estate abutting on said improvements as above described and 50% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate set by the Board of Public Works and Safety per annum. A bond or bonds shall be issued to the contractor in payment of such deferred assessment. Under no circumstances shall the city of Fort Wayne be or be held responsible for any sum or sums due from said property owner or owners for said work, or for the collection of the same, or for the payment of any bond, bonds, certificate or certificates, issued to said contractor in payment for such work, except for such moneys as shall have been actually received by the City from the assessments for such improvement, or such moneys as said City is by said above entitled act required to pay.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.


Adopted, this 1/1<sup>4m</sup> day of March, 1987.

BOARD OF PUBLIC WORKS & SAFETY

  
Victor R. Ginter  
J. D. Conrado

ATTEST: Helen D. Hocherman  
Secretary and Clerk

Board of Public Works & Safety

  
Victor R. Ginter  
J. D. Conrado  
Board of Public Works & Safety



BILL NO. S-87-06-08

REPORT OF THE COMMITTEE ON PUBLIC WORKS

WE, YOUR COMMITTEE ON PUBLIC WORKS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) XXXXXX approving the Contract

for Res. 6085-87 - North Washington Rd. - S. Washington Rd.,  
between Brooks Construction Company and the City of Fort Wayne,  
Indiana, in connection with the Board of Public Works and Safety

HAVE HAD SAID (ORDINANCE), (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)  
(~~RESOLUTION~~)

YES

NO

Samuel J. Talarico

SAMUEL J. TALARICO  
CHAIRMAN

[Signature]

JANET G. BRADBURY  
VICE CHAIRPERSON

PAUL M. BURNS

[Signature]

JAMES S. STIER

Charles B. Redd

CHARLES B. REDD

CONCURRED IN 6-22-87

SANDRA E. KENNEDY  
CITY CLERK